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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CRISTIAN FRANCISCO SALGADO-
SALGADO,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 06-71930

Agency No. A079-149-917

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted April 13, 2009^{**}

Before: GRABER, GOULD, and BEA, Circuit Judges.

Cristian Francisco Salgado-Salgado, a native and citizen of Nicaragua, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's ("IJ") decision denying his application for

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

asylum, withholding of removal, and protection under the Convention Against Torture (“CAT”). We have jurisdiction pursuant to 8 U.S.C. § 1252. We review for substantial evidence, *Singh-Kaur v. INS*, 183 F.3d 1147, 1149 (9th Cir. 1999), and we deny the petition for review.

Substantial evidence supports the IJ’s adverse credibility determination because Salgado-Salgado testified inconsistently about the time periods of his military service and the existence of threatening letters that are central to his claim. *See Wang v. INS*, 352 F.3d 1250, 1257-58 (9th Cir. 2003). Because the record does not compel the conclusion that Salgado-Salgado’s testimony was credible, he has not established eligibility for asylum. *See Singh-Kaur*, 183 F.3d at 1153.

Furthermore, because Salgado-Salgado failed to demonstrate eligibility for asylum, it follows that he did not satisfy the more stringent standard for withholding of removal. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

Because Salgado-Salgado’s CAT claim is based on the same testimony the IJ found to be not credible, and Salgado-Salgado points to no other evidence the IJ should have considered, he has failed to establish eligibility for CAT relief. *See id.* at 1157.

PETITION FOR REVIEW DENIED.